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国際予備審査報告

(法第12条、法施行規則第56条)  
[PCT36条及びPCT規則70]

REC'D 23 NOV 2001

WIPO

出願人又は代理人 の書類記号 PH-1034-PCT	今後の手続きについては、国際予備審査報告の送付通知（様式PCT/ IPEA/416）を参照すること。	
国際出願番号 PCT/JPO0/05474	国際出願日 (日.月.年) 16.08.00	優先日 (日.月.年) 19.08.99
国際特許分類 (IPC) Int.Cl <sup>1</sup> C12N1/19, C12P21/02// (C12N1/19, C12R1:865), (C12P21/02, C12R1:865)		
出願人 (氏名又は名称) 麒麟麦酒株式会社		

- 国際予備審査機関が作成したこの国際予備審査報告を法施行規則第57条 (PCT36条) の規定に従い送付する。
- この国際予備審査報告は、この表紙を含めて全部で 3 ページからなる。  
☐ この国際予備審査報告には、附属書類、つまり補正されて、この報告の基礎とされた及び/又はこの国際予備審査機関に対してした訂正を含む明細書、請求の範囲及び/又は図面も添付されている。  
(PCT規則70.16及びPCT実施細則第607号参照)  
この附属書類は、全部で \_\_\_\_\_ ページである。
- この国際予備審査報告は、次の内容を含む。
  - ☒ 国際予備審査報告の基礎
  - ☐ 優先権
  - ☐ 新規性、進歩性又は産業上の利用可能性についての国際予備審査報告の不作成
  - ☐ 発明の単一性の欠如
  - ☒ PCT35条(2)に規定する新規性、進歩性又は産業上の利用可能性についての見解、それを裏付けるための文献及び説明
  - ☐ ある種の引用文献
  - ☐ 国際出願の不備
  - ☐ 国際出願に対する意見

国際予備審査の請求書を受理した日 16.02.01	国際予備審査報告を作成した日 08.11.01	
名称及びあて先 日本国特許庁 (IPEA/JP) 郵便番号100-8915 東京都千代田区霞が関三丁目4番3号	特許庁審査官 (権限のある職員) 深草 亜子	4B 9548
電話番号 03-3581-1101 内線 3448		

## I. 国際予備審査報告の基礎

1. この国際予備審査報告は下記の出願書類に基づいて作成された。(法第6条(PCT14条)の規定に基づく命令に  
応答するために提出された差し替え用紙は、この報告書において「出願時」とし、本報告書には添付しない。  
PCT規則70.16, 70.17)

☒ 出願時の国際出願書類

- |                          |            |                |                      |
|--------------------------|------------|----------------|----------------------|
| <input type="checkbox"/> | 明細書        | 第 _____ ページ、   | 出願時に提出されたもの          |
|                          | 明細書        | 第 _____ ページ、   | 国際予備審査の請求書と共に提出されたもの |
|                          | 明細書        | 第 _____ ページ、   | 付の書簡と共に提出されたもの       |
| <input type="checkbox"/> | 請求の範囲      | 第 _____ 項、     | 出願時に提出されたもの          |
|                          | 請求の範囲      | 第 _____ 項、     | PCT19条の規定に基づき補正されたもの |
|                          | 請求の範囲      | 第 _____ 項、     | 国際予備審査の請求書と共に提出されたもの |
|                          | 請求の範囲      | 第 _____ 項、     | 付の書簡と共に提出されたもの       |
| <input type="checkbox"/> | 図面         | 第 _____ ページ/図、 | 出願時に提出されたもの          |
|                          | 図面         | 第 _____ ページ/図、 | 国際予備審査の請求書と共に提出されたもの |
|                          | 図面         | 第 _____ ページ/図、 | 付の書簡と共に提出されたもの       |
| <input type="checkbox"/> | 明細書の配列表の部分 | 第 _____ ページ、   | 出願時に提出されたもの          |
|                          | 明細書の配列表の部分 | 第 _____ ページ、   | 国際予備審査の請求書と共に提出されたもの |
|                          | 明細書の配列表の部分 | 第 _____ ページ、   | 付の書簡と共に提出されたもの       |

2. 上記の出願書類の言語は、下記に示す場合を除くほか、この国際出願の言語である。

上記の書類は、下記の言語である \_\_\_\_\_ 語である。

- ☐ 国際調査のために提出されたPCT規則23.1(b)にいう翻訳文の言語  
☐ PCT規則48.3(b)にいう国際公開の言語  
☐ 国際予備審査のために提出されたPCT規則55.2または55.3にいう翻訳文の言語

3. この国際出願は、ヌクレオチド又はアミノ酸配列を含んでおり、次の配列表に基づき国際予備審査報告を行った。

- ☐ この国際出願に含まれる書面による配列表  
☒ この国際出願と共に提出されたフレキシブルディスクによる配列表  
☐ 出願後に、この国際予備審査(または調査)機関に提出された書面による配列表  
☐ 出願後に、この国際予備審査(または調査)機関に提出されたフレキシブルディスクによる配列表  
☐ 出願後に提出した書面による配列表が出願時における国際出願の開示の範囲を超える事項を含まない旨の陳述書の提出があった  
☒ 書面による配列表に記載した配列とフレキシブルディスクによる配列表に記載した配列が同一である旨の陳述書の提出があった。

4. 補正により、下記の書類が削除された。

- ☐ 明細書 第 \_\_\_\_\_ ページ  
☐ 請求の範囲 第 \_\_\_\_\_ 項  
☐ 図面 図面の第 \_\_\_\_\_ ページ/図

5. ☐ この国際予備審査報告は、補充欄に示したように、補正が出願時における開示の範囲を越えてされたものと認められるので、その補正がされなかったものとして作成した。(PCT規則70.2(c) この補正を含む差し替え用紙は上記1.における判断の際に考慮しなければならない、本報告に添付する。)

## V. 新規性、進歩性又は産業上の利用可能性についての法第12条（PCT35条(2)）に定める見解、それを裏付ける文献及び説明

## 1. 見解

新規性 (N)

請求の範囲

1-30

有

請求の範囲

無

進歩性 (IS)

請求の範囲

1-30

有

請求の範囲

無

産業上の利用可能性 (IA)

請求の範囲

1-30

有

請求の範囲

無

## 2. 文献及び説明 (PCT規則70.7)

請求の範囲1-30に係る発明は、国際調査報告で引用された何れの文献にも記載されておらず、かつ当業者にとって自明なものでもない。

## PATENT COOPERATION TREATY

PCT

## NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Commissioner  
US Department of Commerce  
United States Patent and Trademark  
Office, PCT  
2011 South Clark Place Room  
CP2/5C24  
Arlington, VA 22202  
ETATS-UNIS D'AMERIQUE

in its capacity as elected Office

<b>Date of mailing (day/month/year)</b> 27 April 2001 (27.04.01)	
<b>International application No.</b> PCT/JP00/05474	<b>Applicant's or agent's file reference</b> PH-1034-PCT
<b>International filing date (day/month/year)</b> 16 August 2000 (16.08.00)	<b>Priority date (day/month/year)</b> 19 August 1999 (19.08.99)
<b>Applicant</b> CHIBA, Yasunori et al	

1. The designated Office is hereby notified of its election made:

☒

in the demand filed with the International Preliminary Examining Authority on:

16 February 2001 (16.02.01)☐

in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was☐

was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO  
34, chemin des Colombettes  
1211 Geneva 20, Switzerland

Facsimile No.: (41-22) 740.14.35

Authorized officer

Antonia Muller

Telephone No.: (41-22) 338.83.38

AK

# PATENT COOPERATION TREATY

PCT

From the INTERNATIONAL BUREAU

## NOTIFICATION OF THE RECORDING OF A CHANGE

(PCT Rule 92bis.1 and  
Administrative Instructions, Section 422)

To:

HIRAKI, Yusuke  
Toranomon No. 5 Mori Building  
Third Floor, 17-1, Toranomon 1-  
chome  
Minato-ku, Tokyo 105-0001  
JAPON

Date of mailing (day/month/year) 21 January 2002 (21.01.02)	<b>IMPORTANT NOTIFICATION</b>
Applicant's or agent's file reference PH-1034-PCT	
International application No. PCT/JP00/05474	International filing date (day/month/year) 16 August 2000 (16.08.00)

1. The following indications appeared on record concerning:

☒ the applicant ☐ the inventor ☐ the agent ☐ the common representative

Name and Address JAPAN as represented by SECRETARY OF AGENCY OF INDUSTRIAL SCIENCE AND TECHNOLOGY 3-1, Kasumigaseki 1-chome Chiyoda-ku, Tokyo 100-8921 Japan	State of Nationality JP	State of Residence JP
	Telephone No.	
	Facsimile No.	
	Teleprinter No.	

2. The International Bureau hereby notifies the applicant that the following change has been recorded concerning:

☒ the person ☐ the name ☐ the address ☐ the nationality ☐ the residence

Name and Address NATIONAL INSTITUTE OF ADVANCED INDUSTRIAL SCIENCE AND TECHNOLOGY 3-1, Kasumigaseki 1-chome Chiyoda-ku Tokyo 100-8921 Japan	State of Nationality JP	State of Residence JP
	Telephone No.	
	Facsimile No.	
	Teleprinter No.	

3. Further observations, if necessary:

4. A copy of this notification has been sent to:

☒ the receiving Office ☐ the designated Offices concerned  
☐ the International Searching Authority ☒ the elected Offices concerned  
☒ the International Preliminary Examining Authority ☐ other:

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No.: (41-22) 740.14.35	Authorized officer Susumu KUBO Telephone No.: (41-22) 338.83.38
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## PATENT COOPERATION TREATY

## PCT

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference PH-1034-PCT	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/JP00/05474	International filing date (day/month/year) 16 August 2000 (16.08.00)	Priority date (day/month/year) 19 August 1999 (19.08.99)
International Patent Classification (IPC) or national classification and IPC C12N 1/19, C12P 21/02// (C12N 1/19, C12R1 : 865) , (C12P21/02, C12R1 : 865)		
Applicant KIRIN BEER KABUSHIKI KAISHA		

<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>3</u> sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of _____ sheets.</p>	
<p>3. This report contains indications relating to the following items:</p> <p>I <input checked="" type="checkbox"/> Basis of the report</p> <p>II <input type="checkbox"/> Priority</p> <p>III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p>IV <input type="checkbox"/> Lack of unity of invention</p> <p>V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p>VI <input type="checkbox"/> Certain documents cited</p> <p>VII <input type="checkbox"/> Certain defects in the international application</p> <p>VIII <input type="checkbox"/> Certain observations on the international application</p>	

Date of submission of the demand 16 February 2001 (16.02.01)	Date of completion of this report 08 November 2001 (08.11.2001)
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/JP00/05474

## I. Basis of the report

### 1. With regard to the **elements** of the international application:\*

- ☒ the international application as originally filed
- ☐ the description:  
 pages \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☐ the claims:  
 pages \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, as amended (together with any statement under Article 19  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☐ the drawings:  
 pages \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☐ the sequence listing part of the description:  
 pages \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_

### 2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language \_\_\_\_\_ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

### 3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☒ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☒ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

### 4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/fig \_\_\_\_\_

### 5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).\*\*

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

\*\* Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/JP 00/05474

## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

### 1. Statement

Novelty (N)	Claims	1-30	YES
	Claims		NO
Inventive step (IS)	Claims	1-30	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-30	YES
	Claims		NO

### 2. Citations and explanations

The inventions set forth in Claims 1-30 are not disclosed in any of the documents cited in the international search report, and are not obvious to a person skilled in the art.



## INTERNATIONAL FORM

BUDAPEST TREATY ON THE INTERNATIONAL  
RECOGNITION OF THE DEPOSIT OF  
MICROORGANISMS FOR THE PURPOSES OF  
PATENT PROCEDURE

**RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT**

issued pursuant to Rule 7.1 by the  
INTERNATIONAL DEPOSITARY AUTHORITY  
identified at the bottom of this page.

## TO DEPOSITOR:

Name: KIRIN BEER KABUSHIKI KAISHA  
President: Yasuhiro SATO, et al.  
Address: 10-1, Shinkawa 2-chome, Chuo-ku, Tokyo 104-8288 Japan

<b>I. IDENTIFICATION OF MICROORGANISM</b>	
Identification Reference Given by the Depositor: YS 134-4A	Accession Number: FERM BP- 6801
<b>II. A SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC POSITION</b>	
<p>The microorganism identified under I above was accompanied by a document stating the following item(s).</p> <p><input type="checkbox"/> A Scientific Property</p> <p><input type="checkbox"/> Taxonomic Position</p>	
<b>III. RECEIPT AND ACCEPTANCE</b>	
<p>This International Depositary Authority accepts the microorganism identified under I above, which was received on July 27, 1999.</p> <p align="right">(date of the original deposit)</p>	
<b>IV. RECEIPT OF REQUEST FOR TRANSFER</b>	
<p>This International Depositary Authority received the microorganism under I above on (date of the original deposit), and received on _____, a request for transfer from the original deposit to the deposit under the Budapest treaty.</p>	
<b>V. INTERNATIONAL DEPOSITARY AUTHORITY</b>	
<p>Name: National Institute of Bioscience and Human-Technology Agency of Industrial Science and Technology</p> <p align="center">Representative: <u>Shinichi OHASHI</u> (sealed) Dr. Shinichi OHASHI Director-General</p> <p>Address: 1-3, Higashi 1-Chome, Tsukuba-shi, Ibaraki-ken 305-8566 Japan</p> <p align="right">Date: July 27, 1999</p>	



特許手続上の微生物の寄託の国際的承認  
に関するブダペスト条約

下記国際寄託当局によって規則 7. 1 に従い  
発行される。

### 原寄託についての受託証

氏名 (名称)

麒麟麦酒株式会社

代表取締役社長

佐藤 安弘 他1名

寄託者

あて名 〒

殿

東京都中央区新川二丁目10番1号

BUDAPEST TREATY ON THE INTERNATIONAL  
RECOGNITION OF THE DEPOSIT OF  
MICROORGANISMS FOR THE PURPOSES OF  
PATENT PROCEDURE

RECEIPT IN THE CASE OF AN ORIGINAL  
DEPOSIT

issued pursuant to Rule 7.1 by the  
INTERNATIONAL DEPOSITARY AUTHORITY  
identified at the bottom of this  
page.

#### 1. 微生物の表示

(寄託者が付した識別のための表示)

YS 134-4A

(受託番号)

FERM BP- 6801

#### 2. 科学的性質及び分類学上の位置

1 欄の微生物には、次の事項を記載した文書が添付されていた。

- 科学的性質
- 分類学上の位置

#### 3. 受領及び受託

本国際寄託当局は、平成 11 年 7 月 27 日 (原寄託日) に受領した 1 欄の微生物を受託する。

#### 4. 移管請求の受領

本国際寄託当局は、 年 月 日 (原寄託日) に 1 欄の微生物を受領した。  
そして、 年 月 日に原寄託よりブダペスト条約に基づく寄託への移管請求を受領した。

#### 5. 国際寄託当局

通商産業省工業技術院生命工学工業技術研究所

名称: National Institute of Bioscience and Human-Technology  
Agency of Industrial Science and Technology

所長 大箸 信一

Dr. Shuichi Oshichi Director-General

あて名: 日本国茨城県つくば市東1丁目1番3号 (郵便番号 305-8566)

1-3, Higashi 1 chome Tsukuba-shi Ibaraki-ken  
305-8566, JAPAN

平成11年 (1999) 7月27日



European Patent  
Office

**SUPPLEMENTARY  
PARTIAL EUROPEAN SEARCH REPORT**

Application Number

which under Rule 45 of the European Patent Convention shall be considered, for the purposes of subsequent proceedings, as the European search report

EP 00 95 3436

DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (Int.Cl.7)
X  ①	MISAGO M ET AL: "Molecular cloning and expression of cDNAs encoding human alpha-mannosidase II and a previously unrecognized alpha-mannosidase IIx isozyme" PROC. NATL. ACAD. SCI. USA, vol. 92, - December 1995 (1995-12) pages 11766-11770, XP002239755 * the whole document *	29, 30	C12N1/19 C12P21/02 C12N9/24 C12P19/18 C12P21/00 C12R1/865 //C12N1:19, C12R1:865, C12P21:02, C12R1:865
			TECHNICAL FIELDS SEARCHED (Int.Cl.7)
			C12N C12P C12R
The supplementary search report has been based on the last set of claims valid and available at the start of the search.			
<b>INCOMPLETE SEARCH</b>			
The Search Division considers that the present application, or some or all of its claims, does/do not comply with the EPC to such an extent that a meaningful search into the state of the art cannot be carried out, or can only be carried out partially, for the following claims: Claims searched completely :  Claims searched incompletely :  Claims not searched :  Reason for the limitation of the search: see sheet C			
Place of search <b>MUNICH</b>		Date of completion of the search <b>29 April 2003</b>	Examiner <b>Stoyanov, B</b>
<b>CATEGORY OF CITED DOCUMENTS</b>			
X : particularly relevant if taken alone Y : particularly relevant if combined with another document of the same category A : technological background O : non-written disclosure P : Intermediate document  T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date D : document cited in the application L : document cited for other reasons & : member of the same patent family, corresponding document			